GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – PR & RD Department – RWS&S - Allegations of irregularities in execution of the work "CPWS Scheme to Vissannapeta and 32 other habitations in Vissannapeta (M) in Krishna District" taken up by RWS Circle, Vijayawada - Disciplinary proceedings initiated against Sri B.Rajeswara Rao, formerly Engineer – in - Chief, RWS&S (Now Retired) –WSD Submitted- Enquiry conducted- Enquiry report communicated- Explanation called for- Dated Acknowledgement/ Explanation not received – Inquiry report published in Gazette – Further action dropped – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.VI) DEPARTMENT

G.O.RT.No. 529 **Dated: 21-09-2020**

Read the following:-

1. Vigilance Report No. 43 (477/V&E/E/2009), Dated.15.07.2011 of General Administration (V&E) Department.
2. G.O.Rt.Nos.1664 & 1665, PR&RD (Vig.II) Department, dt.09.11.2011.
3. From Sri. B.Rajeshwara Rao, ENC, RWS&S, Hyd., Written Statements of Defense, dated 05-12-2011.
4. G.O.Rt.No.351,PR&RD(Vig.II) Dept.,dt.17.02.2014.
5. G.O.Rt.No.1051,PR&RD(Vig.II) Dept.,dt.25.11.2014.
6. From Dr.Prem Chand, COI, GA (COI) Department, D.O.Lr.No.29 /COI.P/2015, Dt.04.12.2015.
7. Memo.No.18810/Vig.I/2011, PR&RD (Vig.I) Department, Dt.06.07.2016.
8. From the Engineer-in-Chief, RWS&S, Lr.No.Vig.(2)/RWS&S/ 5946/ 2011, dt.08.05.2017.
9. Govt.Memo.No.18810/Vig.II/2011, dt.17.05.2017.
10. From the Engineer-in-Chief, RWS&S, Gollapudi, Vijayawada, Lr.No.Vig.(2)/RWS&S/5496/2011,dt.29.11.2018.
11. Govt.Memo.No.18810/Vig.VI/2011, PR&RD (Vig.VI) Department, Dt.01.01.2019.
12. From the Engineer-in-Chief, RWS&S, Lr.No.Vig.(2)/RWS&S/ 5496/2011, dt.02.11.2019.

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ORDER:-

Based on the recommendations of the DG, GA (V&E) Deptt., in the reference 1st read above, disciplinary proceedings were initiated duly framing AOCs against Sri B.Rajeswara Rao, the then ENC, RWS, Hyd., inter-alia among (5) others, in respect of allegations of irregularities in execution of the work "CPWS Scheme to Vissannapeta and 32 other habitations in Vissannapeta (M) in Krishna District" taken up by RWS Circle, Vijayawada, vide reference 2nd read above. In the reference 3rd read above, the CO has submitted his WSD and denied charges.

2. Since, the WSD has not been convincing, Government entrusted the case to COI and appointed Sri Alok Srivastava, IPS (Retired) Member COI as Inquiring Authority to conduct detailed Inquiry against the above CO, along with (5) others, vide reference 4th read above. Consequently on the bifurcation of AP in two States, the A.P. Govt., re-assigned the case to Dr.Premchand, IAS (Retired), Member COI to conduct detailed enquiry, vide reference 5th read above.

3. In the reference 6th read above, Dr.Premchand, IAS, COI, GA (COI) Department, submitted his enquiry report. Dr.Premchand, IAS, COI, GA(COI) Department, in his findings of enquiry report, submitted that it is held that charges I, II and III are not proved but charge IV proved against CO-1 i.e. Sri B.Rajeswara Rao, the then ENC, RWS, Hyd.

4. In the reference 7th read above, a copy of Enquiry report was communicated to Sri B.Rajeswara Rao, formerly Engineer – in - Chief, RWS&S (Now Retired) with a request to submit his explanation if any, on the Enquiry report.

5. In the reference 8th read above, the EnC, RWS&S, has submitted that the Enquiry report has been sent to the known address of Sri B.Rajeswara Rao, the then EnC, RWS&S whereas the individual has not submitted any explanation and the postal authorities have not returned the cover so far.

6. In the reference 11th read above, the EnC, RWS&S, was requested to publish the Enquiry report in r/o Sri B. Rajeswara Rao, formerly EnC, RWS&S (now retd.) in the Govt. Gazette and furnish copy of the same to Govt.

7. In the reference 12th read above, the EnC, RWS&S, Vij., informed that the Inquiry Report was published in the AP Gazette of March 22, 2019 (G.855) Part VII. However no explanation / dated acknowledgement to the Inquiry report has been received so far from the individual in his office even after being published in the A.P. Gazette. While submitting the said information and a copy of the Gazette publication, he has requested to take necessary action.

8. After examining the matter in detail, Govt have observed that out of (4) charges framed against Sri B.Rajeswsara Rao, the then ENC, RWS, now retired from service on 30-6-2011, only Charge (iv) is substantiated during the inquiry conducted by the COI. The 4th charge is that, "he has approved the modified rate for EW for formation of bund considering SS20A specification after concluding the agreement even through SS20A specification was already existing in the original agreement". The CO, in his written statement of defence/before the Inquiring Authority has stated that original estimation was approved with 2 km lead of borrow soil with rate of 135.95 per cum with initial water lead of 0.5 km. In working estimate-2 the SE(RWS) Vijayawada has recommended extra water lead of 2.00 km based on the certificate issued by EE(RWS). As such he arrived the rate by deducible method by adding Rs.1.76

(Rs.137.71 per cum) to the existing rate with the same specifications. He has stated that change in rate is due to increase in conveyance charges of water utilized. In this regard the revised estimates submitted by S.E(RWS) and Certification issued by EE(RWS).

9. As seen from the analysis of Inquiry Report, it is observed that the I.A. has not disputed with the above contention of the C.O. He has observed that during execution, the EE has given a certificate that such huge quantity of water is not available within 0.5 kms and a water lead (conveyance) charges of 2.00 kms may be allowed. Accordingly, water lead charges of 2.00 km were added to the data. But, the V&E authorities presume it as same specifications and took it as allowing two rates for the same specifications. They did not thoroughly verified the data. The change in rate is due to increase in conveyance charges of water utilized. As such the the charge itself that he approved the modified rate considering SS20A specification after concluding the agreement may not be appropriate.

10. It is also observed that out of (6) Charged officers against whom charges were framed for the irregularities in the work of "CPWS Scheme Vissannapeta, Krishna district, charges framed against (5) C.Os., are not held proved and further action against them was dropped. In respect of the present C.O. Sri B. Rajeswara Rao, the then EnC, RWS&S, out of (4) charges only charge-iv is substantiated by the IA. It is considered that there may not be much gravity in this charge as the individual has approved the modified rate in respect of extra water lead, based on the recommendation by the S.E. (RWS) and Certificate issued EE(RWS). Therefore, the C.O. Sri B.Rajeswara Rao, the then EnC, RWS&S, alone may not be held responsible. The individual was retired from service in the capacity of HoD, i.e., ENC (RWS) on 30-06-2011 on superannuation. The Government after careful examination of above circumstances have considered that the lapse reported on part of the individual may not warrant for imposition of the penalty on him, and decided to drop further action against C.O. Sri B. Rajeswara Rao, the then EnC, RWS&S, in the matter.

11. Accordingly, Government hereby drop further action against the C.O. Sri B. Rajeswara Rao, the then EnC, RWS&S, in respect of allegations of irregularities in execution of work “CPWS Scheme to Vissannapeta and 32 other habitations in Vissannapeta (M) in Krishna District” taken up by RWS Circle, Vijayawada.

12. The ENC, RWS&S, AP, Vijayawada shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARYTO GOVERNMENT

To
The individual through the ENC, RWS&S, AP, Vijayawada.

The Engineer-in-Chief, RWS&S, A.P, Vijayawada (with a request to serve the copy to the individual).

SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER